

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, FEBRUARY 10, 1992  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:09 p.m. Deputy Mayor Roberts adjourned the meeting at 7:03 p.m. to meet in Closed Session on February 18, 1992 at 9:30 a.m. in the 12th floor conference room to discuss pending and potential litigation.

ATTENDANCE DURING THE MEETING:

(M) Mayor O'Connor-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Stevens-present  
(5) Council Member Behr-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council Member Filner-present  
Clerk-Abdelnour (so)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor O'Connor-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-not present  
(3) Council Member Hartley-present

Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, February 10, 1992

Page 2

- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Father James Poulsen of  
St. Gregory of the Great Catholic Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Deputy Mayor  
Roberts.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell that the responsibility to  
educate the public is up to our leaders.

ITEM-PC-2:

Lincoln Pickard asked for Council's help in bringing  
good high-tech, high-value jobs to San Diego.

ITEM-PC-3: REFERRED TO THE CITY MANAGER

Peter Navarro suggested that Council hold its meetings  
in the evenings for the convenience of the public.

Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, February 10, 1992

Page 3

ITEM-PC-4:

Julie Ellery asked Council to review a map she submitted before action is taken next week on Barrio Logan/Harbor 101.

ITEM-PC-5:                    REFERRED TO THE CITY MANAGER

Robert Hoffman requested a review of the process for installing traffic signals.

FILE LOCATION:            AGENDA

COUNCIL ACTION:            (Tape location: A080-220.)

ITEM-30:                    PRESENTATION ACCEPTED

Presentation to the Mayor and City Council from the San Diego Figure Skating Club, regarding the Pacific Coast Precision Team Championship to be held in San Diego.

FILE LOCATION:            MEET

COUNCIL ACTION:            (Tape location: A033-078.)

ITEM-31:                    TRAILED TO FEBRUARY 11, 1992 AT 10:00 A.M.

Introducing a group of 35 students from Sherman Preparatory School, and their teacher Danny Estrada. The students will be recognized for their special project on water conservation.  
(District-8.)

FILE LOCATION:            MEET

COUNCIL ACTION:            (Tape location: B143-146.)

MOTION BY FILNER TO TRAIL TO FEBRUARY 11, 1992 AT 10:00 A.M. FOR THE GROUP TO BE PRESENT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-32: DENIED REQUEST FOR HEARING

Matter of the request of the San Ysidro Planning and Development Group for a hearing of an appeal from the decision of the Board of Zoning Appeals in partially approving an amended Conditional Use Permit CUP-20165, which permitted Sejour Development Corporation and SYG Ventures to establish a parking lot where such use is permitted by Conditional Use Permit only. The amendment consists of: (1) deletion of SYG's two-acre portion from said Conditional Use Permit; and (2) maintenance of a parking lot on said SYG two-acre portion (C-20894) subject to conditions where such use is permitted by Conditional Use Permit only. The subject property is located south of Camiones Way between Interstate 5 and Virginia Avenue and is more particularly described as a portion of Block 21-24, Tia Juana City, Map-282 in Zone A1-1 in the Coastal Height Limitation Zone.  
(Case C-20165/20894. District-8.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE - ZONING APPEALS (Case C-20165/20894)

COUNCIL ACTION: (Tape location: B113-143.)

MOTION BY FILNER TO DENY THE REQUEST FOR A HEARING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-100: (R-92-955) ADOPTED AS RESOLUTION R-279385

Awarding a contract to Laidlaw Environmental Services for dump fees for approximately 35,000 cubic yards of leaded hazardous sludge, per landfill prices for hazardous waste at time of disposal, for an estimated cost of \$1,155,000, including tax. (BID-B2943/92)

FILE LOCATION: CONT-PURCHASE - Laidlaw Environmental Services CONT FY92-1

COUNCIL ACTION: (Tape location: C069-095.)

MOTION BY STEVENS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-92-950) ADOPTED AS RESOLUTION R-279386

Awarding a contract to Wilbur-Ellis Co. for furnishing turf fertilizer, as may be required for a period of one year beginning August 10, 1991 through August 9, 1992, for an estimated cost of \$67,920. (BID-P2547/92)

FILE LOCATION: CONT-PURCHASE - Wilbur-Ellis Co. CONT  
FY92-1

COUNCIL ACTION: (Tape location: C058-068.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-102: (R-92-951) ADOPTED AS RESOLUTION R-279387

Awarding a contract to Interlox America for furnishing an estimated 960,000 lbs. of hydrogen peroxide, as may be required for a period of one year beginning April 1, 1992 through March 31, 1993, for an estimated cost of \$249,408, including tax, with options to renew the contract for four additional one year periods, with option period price increases not to exceed the prices in effect for the previous contract period by more than 5 percent; declaring that in the event the vendor fails to deliver material or services in accordance with the specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low responsible and responsive bidder or to obtain material on the open market until the requirement can be rebid. (BID-B2860/92)

FILE LOCATION: CONT-PURCHASE - Interlox America CONTFY-1

COUNCIL ACTION: (Tape location: C095-107.)

MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-92-953) ADOPTED AS RESOLUTION R-279388

Awarding a contract to Miramar Ford Truck Sales, Inc., for the purchase of one roll-off container truck (Ford LTS-800 with an Amrep roll-off system) and seven roll-off containers for a total cost of \$91,370.58, including tax and terms; authorizing the expenditure of not to exceed \$91,370.58 from Department No. 8203, Fund No. 50033, Object Account No. 6013, and Job Order No. 88082, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-C2789/92)

Aud. Cert. 9200570.

FILE LOCATION: CONT-PURCHASE - Miramar Ford Truck Sales,  
Inc. CONFY92-1

COUNCIL ACTION: (Tape location: C058-068.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-104: (R-92-954) RETURNED TO THE CITY MANAGER

Awarding contracts for the purchase of semi-automatic pistols and shotguns, for an actual cost of \$96,166, including tax and terms, as follows:

1. Accuracy Gun Shop for Item 1 - Smith & Wesson 9mm 5943 SSV;
2. San Diego Police Equipment for Item 2 - Remington 870.

Authorizing the expenditure of an amount not to exceed \$96,166, from Department No. 110, Fund No. 100, Organization Nos. 200, 322, 431, and 496, Object Account No. 6010, and Job Order Nos. 111475, 111225, 111490 and 111471, for providing funds for said project and related costs;

authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-I2838/92)

Aud. Cert. 9200544.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B146-157.)

MOTION BY HARTLEY TO RETURN TO THE CITY MANAGER FOR RE-EVALUATION TO SEE IF THIS CAN BE DEFERRED UNTIL NEXT YEAR. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-105: (R-92-952) CONTINUED TO FEBRUARY 18, 1992

Awarding a contract to Clairemont Equipment Company for the purchase of 17 non-symmetrical screw type air compressors for a total cost of \$194,772.06, including tax; authorizing the expenditure of not to exceed \$194,772.06 from Fund No. 50031, Department No. 8201, Object Account No. 6013, and Job Order No. 88092 for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-B2804/92)

Aud. Cert. 9200569.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B157-163.)

MOTION BY ROBERTS TO CONTINUE TO FEBRUARY 18, 1992 AT THE REQUEST OF THE CITY MANAGER. Second by Hartley. Passed by

the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106: (R-92-1158) ADOPTED AS RESOLUTION R-279391

Terminating the Subdivision Improvement Agreement dated  
October 19, 1987, with Golden Hills Investors I,  
subdivider of Vista de Oro; releasing Performance Bond  
No. 02 93 38, issued by Explorer Insurance Company,  
guaranteeing the improvements.  
(Greater Golden Hill Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On October 19, 1987 the  
City approved the final map of Vista de Oro, a one lot  
subdivision, and entered into an agreement with Golden Hills  
Investors I (the subdivider) for the construction of the public  
improvements necessary to serve the subdivision. The Vista de  
Oro project was approved for 56 units. In 1989 the Golden Hill  
Planned District Ordinance was adopted, which reduced allowable  
densities in some areas of Golden Hill. The density of the  
subject property was thereby reduced to 11 units maximum, causing  
the project to be economically unfeasible. The property was  
therefore never developed, and was subsequently sold. The  
improvements called for in the subdivision improvement agreement  
were to provide on site as well as some off site improvements.  
The developer will deposit \$9,000 into the City's interest  
bearing trust account to help fund future off site public  
improvements. The on site improvements will be provided whenever  
the property is developed. The termination of the agreement and  
release of bond are recommended because the project itself will  
not be built.

FILE LOCATION: SUBD-Vista de Oro

COUNCIL ACTION: (Tape location: C058-068.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107: (R-92-1154) ADOPTED AS RESOLUTION R-279392



Vacating Eighth Street between Stonecrest, Unit 1, Map-12453, and an unnamed county road per Map-826, pursuant to Section 8330 et seq. of the California Streets and Highways Code.  
(Kearny Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On February 9, 1988, the City Council adopted Resolution R-270336, which conditionally vacated Olive Avenue, Peach Avenue, Eighth Street, and portions of Murphy Canyon Road and Aero Drive. This action was pursuant to Section 66499.20-1/2 of the State Map Act and conditioned upon approval of the final map for the Stonecrest subdivision (TM-87-0692). Because of unforeseen circumstances, it has become necessary for the property owner to request that the portion of Eighth Street east of Stonecrest, Unit 1, be vacated by summary vacation. The applicant does not wish to proceed with the final map in this area at this time, but would like to un-encumber the property of the paper street. The subject vacation is located in the Kearny Mesa Community Plan area and is situated in an R1-40,000 Zone. The area-of-vacation totals approximately 37,650 square feet (0.864 acres) and would allow additional development entitlements as permitted by the R1-40,000 Zone. The Planning Department has no objections to the vacation, and the Kearny Mesa Community Planning Group unanimously recommended approval. The area-of-vacation is unimproved and is not needed for access or traffic circulation. Any public improvements which may be required in the future would be addressed under the Stonecrest development agreement.

FINDINGS: Staff review has indicated that the proposed vacation is consistent with the General Plan, the community plan, and Council Policy 600-15 and may be summarily vacated. The right-of-way is not required for present or prospective public use, and the facilities for which it was originally acquired will not be detrimentally affected, since it is not necessary for access or circulation. The public will benefit from the vacation through improved utilization of the land and an increased tax base.

FILE LOCATION: STRT-J2774; DEED F-5759 DEEDFY92-1

COUNCIL ACTION: (Tape location: C058-068.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-108:

Two actions relative to the Crosby Street (Harbor Drive to Kearny Avenue) Underground Utility District:  
(Barrio Logan Community Area. District-8.)

Subitem-A: (R-92-1106) ADOPTED AS RESOLUTION R-279393

Authorizing the substitution of the utilities undergrounding of Crosby Street (Harbor Drive to Kearny Avenue) by deleting Palm Avenue (Beyer Boulevard to Hawaii Avenue).

Subitem-B: (R-92-1107) ADOPTED AS RESOLUTION R-279394

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of the Crosby Street (Harbor Drive to Kearny Avenue) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Crosby Street between Harbor Drive and Kearny Avenue. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities.

Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.  
Aud. Cert. 9200524.

FILE LOCATION: STRT-K204

COUNCIL ACTION: (Tape location: C058-068.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-109: (R-92-1120) CONTINUED TO MARCH 2, 1992

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$45,000 from PSD Fund No. 11390 to CIP-29-724.0, Cabrillo Heights Neighborhood Park - Access Road; authorizing the expenditure of an amount not to exceed \$45,000 from CIP-29-724.0, Cabrillo Heights Neighborhood Park - Access Road, PSD Fund No. 11390, to supplement the financing authorized by Resolution R-275759, adopted on May 29, 1990.

(Serra Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: A contract to construct an access road at Cabrillo Heights Park was awarded in June 1990. Several changes have been made to minimize conflict with the adjacent athletic fields and to eliminate unanticipated drainage problems. Construction change orders have increased the cost by \$21,000 and additional City engineering costs are greater than expected. An additional \$45,000 is required.

	Estimated Cost	
	Original	Current
Professional Services	\$ 6,000	\$ 6,000
City Engineering	\$ 8,734	\$33,000
Construction Contract	\$33,666	\$56,000
Contingencies	\$ 1,600	0
Total	\$50,000	\$95,000

Aud. Cert. 9200550.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B303-309.)

MOTION BY STALLINGS TO CONTINUE TO MARCH 2, 1992 FOR MORE TIME TO REVIEW THE CONCERNS OF THE COMMUNITY. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-110: (R-92-1119) ADOPTED AS RESOLUTION R-279395

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$7,000 from Mission Beach - Urban Community Fund No. 79522 to CIP-29-452.0, Santa Clara Point, Recreation Center - Requirements; authorizing the expenditure of an amount not to exceed \$7,000 from CIP-29-452.0, Santa Clara Point, Recreation Center - Requirements, Mission Beach - Urban Community

Fund No. 79522, to supplement the financing authorized  
by Resolution R-278545, adopted on September 9, 1991.  
(Mission Bay Park Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: A contract for  
construction of Santa Clara Point small children's play area was  
awarded recently. City engineering charges are currently greater  
than was apparent at the time of bid award. Funding authorized  
by the City Council was not adequate to provide for  
contingencies. An additional \$7,000 is required to provide for  
contingencies and City Engineering.

	Estimated Cost	
	Original	Current
Preliminary Engineering	\$13,000	\$18,000
Construction Engineering	\$ 7,200	\$ 7,400
Construction contract	\$58,325	\$58,325
Contingencies	\$ 1,475 (2.5%)	\$ 3,725 (6.4%)
Total	\$80,000	\$87,000

Aud. Cert. 9200536.

FILE LOCATION: W.O. 119328

COUNCIL ACTION: (Tape location: C058-068.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-111: (R-92-1130 Rev.) ADOPTED AS AMENDED AS  
RESOLUTION R-279396

Authorizing the execution of an agreement with the  
Federal Emergency Management Agency (FEMA) and the  
State of California Office of Emergency Services (OES)  
for the San Diego Fire Department's participation in  
the National Urban Search and Rescue Response System as  
a sponsoring agency; approving the acceptance of  
\$46,809 from FEMA for the purchase of supplies and  
equipment; certifying that the amount of \$46,809 is  
available within the Fire Department's FY 1992 budget  
to match the Federal contribution; authorizing the City  
Manager or his representatives to act as agent of the  
City in all negotiations and preparation of documents  
required for participation as a sponsoring agency.

(City-wide.)

CITY MANAGER SUPPORTING INFORMATION: The Federal Emergency Management Agency (FEMA) has selected the San Diego Fire Department to be a sponsoring agency within the proposed National Urban Search and Rescue Response System. The system will comprise 25 task forces; each developed, organized and administered by a sponsoring agency. The San Diego Fire Department, in cooperation with other agencies county-wide, will coordinate a 56 member task force to include search, rescue, medical and technical functions. Capable of deployment to a catastrophic disaster site within 6 hours, each task force will provide a self-contained effort to rescue and treat trapped victims. The City of San Diego will match the \$46,809 provided through FEMA for the purchase of supplies and equipment with the equivalent amount. The State of California will reimburse the City of San Diego for the purchase of approximately \$24,500 worth of equipment. This reimbursement will be applied to the City's matching amount of \$46,809.

Aud. Cert. 9200552.

FILE LOCATION: MEET CCONFY92-2

COUNCIL ACTION: (Tape location: B162-176.)

MOTION BY STEVENS TO ADOPT AS AMENDED THAT THE REQUEST TO MATCH THE FEDERAL CONTRIBUTION OF \$46,809 BE DELAYED AND SPLIT BETWEEN FY 93-94. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-112: (R-92-1136) ADOPTED AS RESOLUTION R-279397

Authorizing the execution of an agreement with O'Rourke Engineering Company for engineering consultant services; authorizing the City Auditor and Comptroller to transfer the amount of \$100,000 within the Water Revenue Fund 41500 from CIP-73-083.0, Annual Allocation for Water Main Replacements, to the Water Operations Engineering Program (70830); authorizing the transfer of \$100,000 within the Sewer Revenue Fund 41506, from CIP-40-920.3, Tecolote Canyon Trunk Sewer Improvements, to the Sewer Operations Engineering Program (70820); authorizing the expenditure of an amount not to exceed \$200,000, consisting of \$100,000 from the Water Revenue

Fund 41500, Water Operations Engineering Program (70830) and \$100,000 from the Sewer Revenue Fund 41506, Sewer Operations Engineering Program (70820), to provide funds for the above project; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION: On June 16, 1991, an advertisement was placed in the San Diego Daily Transcript for traffic engineering consultant services to be provided, as needed, for the Water Utilities Department. These services would include the development of construction zone traffic control plans. The City's Consultant Nominating Committee reviewed the letters from eleven qualified consultants, four of which were MBE or WBE firms. The nominating committee nominated six firms to participate in a final interview by a consultant selection committee comprised of personnel from the Water Utilities Department. The interviews were conducted in conformance with Council Policy 300-7. The firm of O'Rourke Engineering was selected as the best qualified to provide consultant services. O'Rourke Engineering Company (WBE) will perform 100 percent of their assigned tasks. The agreement will provide for the services by task orders on an hourly basis not to exceed \$15,000. The total contract shall not exceed \$200,000. The agreement will terminate two years from the date of execution by the City Manager.

Aud. Cert. 9200557.  
WU-U-92-079.

FILE LOCATION: MEET CCONFY92-1

COUNCIL ACTION: (Tape location: C058-068.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-113: (R-92-1128) ADOPTED AS RESOLUTION R-279398

Authorizing the execution of an agreement with Pardee Construction Company for construction of that portion of the Black Mountain Road sewer which passes through Westview.  
(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This agreement will allow Pardee Construction Company, a California Corporation (Pardee), to recover the cost exceeding their pro rata share for the construction of an 18-inch diameter sewer line which passes through Westview, Vesting Tentative Map VTM-86-0969. The estimated cost to construct the Westview portion of the Black Mountain Road Sewer is \$236,638. The total estimated cost of sewer facilities benefitting Pardee is \$71,760. Therefore, pursuant to the policies and guidelines set forth in City Council Policy 400-7, the total reimbursement to Pardee shall be \$159,588. This agreement is limited to a 20-year period and there is no City contribution. In addition to Pardee, a number of other developers and property owners are also obligated to construct the Black Mountain Road Sewer and they have posted securities for the construction and their pro rata share. Upon execution of this agreement, the City will make a written request to the developers who posted securities for their pro rata share, to provide cash deposits.

WU-U-92-083.

FILE LOCATION: CONT-Pardee Construction Company CONFY92-1

COUNCIL ACTION: (Tape location: C058-068.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-114: (R-92-917) RETURNED TO THE CITY MANAGER

Authorizing the execution of an amendment to the agreement of December 10, 1990 with Lewis and Zimmerman Associates, for value engineering services required for the City's Central Subsystem Projects; authorizing the City Auditor and Comptroller to transfer the amount of \$166,670, consisting of \$71,050 from CIP-46-159.0, \$51,860 from CIP-40-910.0, and \$43,760 from CIP-40-910.5, all to CIP-45-910.3; authorizing the expenditure of an amount not to exceed \$418,550 from CIP-45-910.3, to provide funds for the above amendment. (Districts-2, 3, 5, 6 and 7.)

CITY MANAGER SUPPORTING INFORMATION: On December 10, 1990, the City entered into an agreement with Lewis & Zimmerman Associates (LZA), for Value Engineering Services on the Pre-design (10%

Design Level) for the Central Subsystem. When the consultant was selected for Value Engineering (VE Services), it was intended that they would provide VE Services for both pre-design packages and detailed design packages. At the time of the original agreement, only Stage 1 pre-design packages were defined to the point that a VE scope of work could be developed. Therefore, the original agreement provided for only the VE Services for Stage 1 pre-design packages with the intent the VE Services for Stage 2 pre-design packages and Stage 1 detailed design packages would be incorporated into the agreement by amendment. The effort associated with the Value Engineering of a detailed design package at the 30 percent and 60 percent level is significantly greater than that required for a pre-design package due to the complexity and greater detail that must be reviewed. The proposed amendment will provide Value Engineering Services for Stage 1, Detailed Designs at the 30% and 60% Design Level; and Stage 2, Pre-designs as listed in the Agreement. The Clean Water Program requires Value Engineering Services to complete design and pre-design projects for the Central Subsystem. Contract designers will prepare four designs, and one pre-design package.

- Exhibit "A" describes the general Scope of Work for LZA.
- Attachment No.1 to Exhibit "A" identifies the number of Value Engineering Workshops with Associated Projects.
- Attachment No.2 to Exhibit "A" provides Workshop descriptions.
- Exhibit "B" describes the Schedule of Work/Deliverables.
- Exhibit "C" provides Progress Payment Schedules.

MBE/WBE Participation for Amendment No.1 of the Agreement with LZA is 19 percent MBE and 5.7 percent WBE.

Aud. Cert. 9200530.  
WU-CWP-92-076.

FILE LOCATION:           --

COUNCIL ACTION:           (Tape location: B177-302.)

MOTION BY McCARTY TO RETURN TO THE CITY MANAGER TO AMEND THE CONTRACT TO DELETE THE MISSION GORGE AND MISSION VALLEY LOCATIONS UNTIL THE CAPACITY STUDY IS COMPLETED. BRING THE RESULTS OF THE MISSION GORGE AND MISSION VALLEY STUDY BACK TO COUNCIL. BRIEF COUNCIL WITH DISCUSSION, CHARTS AND WHAT THE CITY IS BUYING BECAUSE OF THE FORECLOSURE ON OTHER OPTIONS; SPECIFICALLY, WHERE IS THE CITY GOING BY VIRTUE OF APPROVING THESE CONTRACTS. BRING BACK THE LARGE ALTERNATIVE 4A CHART THAT SHOWS THE WHOLE CITY AND WHERE SPECIFIC CLEAN WATER FACILITIES ARE PROPOSED. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,



Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-115: (R-92-1117) ADOPTED AS RESOLUTION R-279399

Ratifying the election of the following six persons to  
sit as members of the Barrio Logan Project Area  
Committee (PAC) for the Mercado del Barrio  
Redevelopment Project Area Committee:

Name	Category
1. Reina Canas	Resident
2. John Ledesma	Resident
3. Ernestine Castillo	Resident
4. Stephen Zapoticzny	Business
5. Walter Barrett	Business
6. Glenna Schmidt	Business

Finding that the election was held according to the  
procedures set out in Resolution R-274651 and the  
Barrio Logan Project Area Committee bylaws, adopted in  
February of 1990.

(Barrio Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On October 30, 1989, the  
City Council adopted the procedures for formation of the Project  
Area Committee (PAC) for the Barrio Logan Redevelopment Project.  
An initial election was held December 6, 1989. The elected PAC  
members served in an advisory capacity to the City  
Council/Redevelopment Agency during the entire process leading up  
to adoption of the Redevelopment Plan in May, 1991.

The PAC's by-laws call for an Annual Meeting to be held every  
January and subsequent elections to be held at the Annual Meeting  
to elect new members for those whose terms have expired. An  
election was held on January 15, 1992 at the Annual Meeting to  
elect three new resident members and three new business/investor  
owner members. Notice of the pending election was mailed to  
every property owner and tenant in the Barrio Logan Redevelopment  
Project. Staff requests approval of the six members to the  
Project Area Committee and ratification that the election as  
conducted was held according to established procedures.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C058-068.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (O-92-98) INTRODUCED, TO BE ADOPTED FEBRUARY 24,  
1992

Introduction of an Ordinance amending Chapter V,  
Article 9, Division 1 of the San Diego Municipal Code,  
by amending Sections 59.0102 and 59.0103, relating to  
Smoking at San Diego Jack Murphy Stadium, to prohibit  
smoking at the stadium in all open-seating areas during  
all events.

(See City Manager Report CMR-92-36. District-6.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C107-209.)

MOTION BY STALLINGS TO INTRODUCE. Second by Stevens.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-nay, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-92-985) ADOPTED AS AMENDED AS RESOLUTION  
R-279400

(Continued from the meeting of January 27, 1992, Item  
108, at the City Manager's request, to allow the  
affected areas to be properly noticed.)

Amending Council Policy 900-07 entitled "Business  
Improvement Districts".

(Mid-City, Hillcrest, Mission Hills, Centre City, Ocean  
Beach and La Jolla Community Areas. Districts-1,2, and  
3.)

CITY MANAGER SUPPORTING INFORMATION: At the City Council's  
July, 1991 deliberations concerning various Business Improvement  
District (BID) issues, staff proposed to rewrite Council Policy  
900-07 to better define procedures for the establishment,  
administration and disestablishment of the districts. The policy  
had not been updated since March, 1986. The present version has

been expanded to reflect changes in the State legislation governing Business Improvement Districts (BIDS) as well as the City's experience in their administration. Major changes from the current policy include expanded criteria for district formation and disestablishment. The revised policy has been reviewed by the Business Improvement District Coordinating Council and the Mayor's Small Business Advisory Board (SBAB). Both entities support the policy as written.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C209-E535.)

Motion by Behr to direct the City Attorney and the City Manager to review the possibility of disengaging the City from involvement with bids as far as the administration and involvement with the collection of fees is concerned. The Economic Development Division has a valid role in seeing that these bids function properly, but the City should not be an enforcer. Return with language that would allow the City to disengage from these bids. No vote. By common consent this issue was determined to be a directive.

MOTION BY WOLFSHEIMER TO ADOPT AS AMENDED TO CHANGE THE RULES FOR BALLOTING TO COUNT NON-RESPONSES AS WELL AS THE RESPONSES. REQUIRE 50 PERCENT OF THE ASSESSED VALUE OF THE OWNERS TO BOTH START AND DISBAND A BUSINESS IMPROVEMENT DISTRICT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-nay, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

Motion by Behr to delete the following sentence on Page 3 from the Council Policy: "Fees collected shall be first applied against the BID fees due." The money received will first be applied to the business license fee and secondly to the BID. Second by McCarty. Failed. Yeas-5,7,M. Nays-1,2,3,4,6. Not present-8.

MOTION BY BEHR TO SCHEDULE A SPECIAL HEARING ON MARCH 16, 1992 ON THE NEWLY-ADOPTED POLICY TO DISCUSS THE SPECIAL CIRCUMSTANCES AND CONDUCT AN APPROPRIATE HEARING. THIS HEARING IS TO BE IN THE FORM OF A DOCKET ITEM TO DETERMINE IF SPECIAL CIRCUMSTANCES EXIST FOR THE DISESTABLISHMENT OF THE LA JOLLA BUSINESS DISTRICT. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-nay, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-202: (R-92-1157) CONTINUED TO FEBRUARY 18, 1992

Authorizing the execution of Amendment No. 9 to the Agreement with James M. Montgomery, Consulting Engineers, Inc., for Program Management Services for the Clean Water Program; authorizing the City Auditor and Comptroller to cancel Auditor's Certificate No. AC 9000565 for Amendment No. 3 with James M. Montgomery, Consulting Engineers, Inc., and to transfer \$480,000 from Fund 41509, CIP-46-147.0 to Fund 41509, CIP-45-910.2, Clean Water Program Management and Administration, to apply to Amendment No. 9, Task 7.9 of the agreement with James M. Montgomery, Consulting Engineers, Inc.; authorizing the City Auditor and Comptroller to cancel Purchase Order No. 0201513 for Amendment No. 4 with James M. Montgomery, Consulting Engineers, Inc., and to transfer \$609,000 to apply to Amendment No. 9, Task 7.9 of the Agreement with James M. Montgomery, Consulting Engineers, Inc.; authorizing the expenditure of redistributed funds from Amendment No. 9, Task 7.9 for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On March 22, 1988, the City Council authorized the City Manager to enter into the Agreement with James M. Montgomery, Consulting Engineers, Inc. for Program Management Services for the Clean Water Program. The Agreement has been subsequently modified by Amendments No. 1 through No. 8. This Amendment No. 9 will redistribute savings realized from various tasks under Amendments No. 3 and No. 4 to Task 7.9, Special Services, under Amendment No. 7 for items such as:

1. Groundwater Recharge/Recovery Study
2. River Crossing Scour Analysis
3. Pomerado Water Reclamation Plant Project Report
4. Fair Cost Estimated for Design Engineering
5. Cultural Resource Evaluation Study
6. Historic Properties Background Study
7. South Bay Sewers Pre-design

WU-CWP-92-030.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G221-302.)

MOTION BY BEHR TO CONTINUE TO FEBRUARY 18, 1992 FOR THE CITY  
MANAGER TO PROVIDE WRITTEN INFORMATION ON WHAT THESE SEVEN

ITEMS ARE THAT WILL BE FUNDED, THE PRIORITIZATION AND WHY SPECIFICALLY SHOULD THE CITY BE FUNDING THESE PARTICULAR ITEMS AT THIS TIME. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-203:

Two actions relative to the City's Transportation  
Demand Management  
(TDM) Ordinance:

Subitem-A: (O-92-101) INTRODUCED, TO BE ADOPTED FEBRUARY  
24, 1992

Introduction of an Ordinance amending Chapter VII,  
Article 1, Division 1 of the San Diego Municipal Code  
by amending Section 71.0103 and by repealing Section  
71.0161, both relating to Transportation Demand  
Management.

Subitem-B: (R-92-1121) ADOPTED AS RESOLUTION R-279402

Accepting the TDM Ordinance Annual Review contained in  
City Manager Report CMR-91-526.

CITY MANAGER SUPPORTING INFORMATION: On December 11, 1991, the  
T&LU Committee accepted the TDM Ordinance Annual Review including  
recommending that the City Manager prepare an amendment to  
Municipal Code Section 71.0161 and 71.0103 for Council action.  
Section 71.0161 of the City's TDM Ordinance includes a sunset  
clause effective October 26, 1992. The anticipated regional  
Regulation may not be in place by this date. In order to allow a  
smooth transition from the employer requirements of the City  
Ordinance, and to continue the progress associated with the  
City's trip reduction efforts, the Ordinance needs to be extended  
until after a regional program has been adopted and implemented  
within the City's borders. Section 71.0103 of the City's TDM  
Ordinance mandates expanding the scope of participation to  
intermediate employers (those with 15-49 employees at a work  
site) beginning July 1, 1992. However, the regional program is  
not likely to include these employers initially. Amending the  
Ordinance to delay program expansion to intermediate employers  
will avoid this disparity.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F009-014.)

Hearing began at 6:35 p.m. and halted at 6:37 p.m.

MOTION BY McCARTY TO INTRODUCE THE ORDINANCE AND TO ADOPT  
THE RESOLUTION. Second by Wolfsheimer. Passed by the  
following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not



Amending the City Charter, Section 10-Elections,  
Adding: City Council Elections Other Than For the  
Mayor Shall be Conducted by Mail Ballot.  
(See City Clerk memorandum dated 1/6/92.)

COMMITTEE ACTION: Reviewed by RULES on 1/15/92. Referred to the  
2/3/92 City Council meeting, without a recommendation. Districts  
1, 2, 7 and 8 voted yea. Mayor not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G302-305.)

ITEM-S402:

(Continued from the meetings of February 3 and 4, 1992,  
Items 400A, B, D, E, H, and I.)

Six actions relative to preparation of or future  
direction on ballot language for the June 2, 1992  
ballot, as follows:

(See City Attorney Report dated 1/31/92.)

Subitem-A: TRAILED TO FEBRUARY 11,1992 DUE TO LACK OF TIME

(Continued due to lack of time.)

Term limits.

NOTE: On 11/25/91 Council adopted Ordinance O-17713 to place the  
Charter amendments to establish a two-term limit for elected  
officials on the June ballot.

Subitem-B: CONTINUED TO FEBRUARY 18, 1992 AT 10:00 A.M.

(Continued at the request of Councilmember  
Wolfsheimer.)

Charter amendment to create an Independent  
Redistricting Commission.

Subitem-C: CONTINUED TO FEBRUARY 18, 1992 AT 10:00 A.M.

(Continued at the request of Mayor O'Connor.)

Restrictions on City franchises.



Subitem-D: NOTED AND FILED

(Continued at the request of Mayor O'Connor.)

Alcohol ban at City parks and beaches.

Subitem-E: CONTINUED TO FEBRUARY 18, 1992 AT 10:00 A.M.

(Continued due to lack of time.)

Appointment and removal of Port District Commissioners.

Subitem-F: CONTINUED TO FEBRUARY 18, 1992 AT 10:00 A.M.

(Continued due to lack of time.)

Charter amendment prohibiting the City from doing  
business with anonymous parties.

FILE LOCATION: Subitem-A,B,C,E,F: --  
Subitem-D: MEET

COUNCIL ACTION: (Tape location: Subitems-A,B,D,E,F:  
B310-395; Subitem-D: B400-536.)

MOTION BY ROBERTS TO CONTINUE SUBITEM B TO FEBRUARY 18, 1992 AT 10:00 A.M. FOR A REVISED RECOMMENDATION FROM SUPERIOR COURT. CONTINUE SUBITEMS C, E, AND F TO FEBRUARY 18, 1992 AT 10:00 A.M. AT THE REQUEST OF THE MAYOR TO REVIEW WITH THE CITY ATTORNEY. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO NOTE AND FILE SUBITEM-D. DIRECT THE CITY MANAGER TO CONTINUE TO CHECK WITH THE BAN THE BOOZE COMMITTEE IF THERE IS A PROBLEM WITH NOTING AND FILING THIS ISSUE. IF A PROBLEM ARISES, THE ISSUE CAN BE PLACED ON THE NOVEMBER BALLOT. REVIEW THE TAPES OF PREVIOUS MEETINGS TO SEE IF WE ARE GOING BACK ON OUR WORD TO THE PEOPLE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-nay, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-92-1176) ADOPTED AS RESOLUTION R-279389

Adopting the determination and recommendations of the Salary Setting Commission, as contained in its letter of recommendation to the Mayor and Council, dated February 5, 1992; directing the City Attorney to incorporate the Commission's recommendations in the annual salary ordinance, pursuant to Section 41.1 of the City Charter.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E535-601.)

MOTION BY BEHR TO ADOPT AS AMENDED TO REJECT THE RECOMMENDATION OF THE SALARY SETTING COMMISSION. DO NOT APPROVE PAY RAISES FOR THE MAYOR AND COUNCIL FOR FY 92 AND 93. ADD TO THE MOTION A THANK YOU TO THE COMMISSION FOR DOING A GOOD JOB WITH A NOTE THAT ORDINARILY COUNCIL WOULD ADOPT ITS RECOMMENDATIONS, HOWEVER, THIS IS NOT A GOOD TIME DUE TO THE ECONOMY. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S404:

Two actions relative to the construction of I-15/Mercy Road Interchange:

(Miramar Ranch North Community Area. District-5.)

Subitem-A: (R-92-1181) ADOPTED AS RESOLUTION R-279407

Authorizing the execution of an agreement with CalTrans for the construction of the I-15/Mercy Road Interchange.

Subitem-B: (R-92-1182) ADOPTED AS RESOLUTION R-279404

Authorizing the execution of an agreement with Miramar Ranch North (MRN) to provide funding for the construction of the I-15/Mercy Road Interchange.

CITY MANAGER SUPPORTING INFORMATION: The subject agreements will provide for the construction and funding for the I-15/Mercy Road interchange. The first agreement is between the City and

CalTrans, and will permit the construction of the interchange. The second agreement is between the City and Miramar Ranch North, a California partnership, and will provide funding for construction of the interchange. On May 21, 1987, the City Council approved the Miramar Ranch North Community Plan. This community plan requires that improvements to the interchange at Interstate 15 and Mercy Road be made prior to development in this community.

On April 17, 1990, the City Council approved a cooperative agreement between the City and CalTrans (Document No. RR-274939). This agreement provides for design and environmental documents for the I-15/Mercy Road interchange. On the same date the City Council approved an agreement between the City and McMillin (Document No. RR-275510), obligating McMillin to perform all of the City's responsibilities as required by CalTrans. Therefore, McMillin is obligated to perform all work on the interchange, with the City having oversight responsibility and CalTrans having final approval.

FILE LOCATION: MEET CONFY92-2

COUNCIL ACTION: (Tape location: C058-068.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-S405: (R-92-1193) ADOPTED AS RESOLUTION R-279405

Requesting that mental health facilities and services be maintained to the best of the County's ability, in spite of difficult economic times facing each of our jurisdictions.

CITY MANAGER SUPPORTING INFORMATION: It is estimated that over 75,000 persons within the County of San Diego suffer from some form of mental illness. It is estimated that of that number, only 2/3 receive even rudimentary care and/or services. It is also estimated that from one third to one half of all adult homeless persons in San Diego suffer from some form of mental illness. The County of San Diego maintains a mental hospital designed to serve 111 acutely mentally ill persons. Because of budget constraints, a shift will take place on July 1 to house more intermediate need patients, thus returning to the streets and community the more acutely mentally ill patients. Because of

this shift in patient care, the City Council on Monday, February 3 requested a Resolution be brought forward requesting the County, within budget parameters, to maintain the mental health facility to address the needs of the more acutely mentally ill patients.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C058-068.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: CONTINUED TO FEBRUARY 18, 1992

In the matter of a proposed City Charter Amendment for the June 1992 ballot, regarding responsibilities of the City Attorney and City Manager.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B537-C050.)

MOTION BY FILNER TO CONTINUE TO FEBRUARY 18, 1992 FOR FURTHER REVIEW. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (R-92-1192) TRAILED TO FEBRUARY 11, 1992 DUE TO LACK OF TIME

Directing the City Manager and the City Attorney to advise the Council with regard to the implications of the proposed listing of the Coastal California Gnatcatcher as an endangered species;

directing this matter to return to the Council, prior to the February 27, 1992 public hearing on the Gnatcatcher listing for further direction regarding the City's position and representation at this hearing.

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, February 10, 1992**

**Page 29**

FILE LOCATION:           --

COUNCIL ACTION:       (Tape location:  G302-305.)

ITEM-S408:  (R-92-1062)           TRAILED TO FEBRUARY 11,1992 DUE TO  
  LACK OF TIME

(Continued from the meeting of February 3, 1992, Item 203a, at Councilmember Behr's request, for direction to provide amended language to include a "best efforts" provision.)

Submitted by the City Manager:

Directing the City Attorney to prepare the appropriate ballot language to place an amendment to the People's Ordinance of 1919 on the June 1992 ballot: (a) to authorize the collection of fees for residential refuse collection and recycling; and, (b) to provide that the City Council use its "best efforts" to reallocate General Fund monies that would have been used to pay for trash collection to enhance police, fire, library, and community and neighborhood park facilities and services.

(See City Manager Report CMR-92-30.)

FILE LOCATION:           --

COUNCIL ACTION:       (Tape location:  G406-450.)

Motion by Wolfsheimer to adopt with the following provisions:  1) include a measure for recycling service; 2) adopt variable rates to reduce the amounts of waste and promote recycling; 3) a provision be made for those unable to afford this service; and 4) a Citizens Advisory Committee be established to monitor cost, fees and effectiveness of the program on an annual basis.  No vote.

ITEM-S409:       CONTINUED TO FEBRUARY 18, 1992 AT 10:00 A.M.

In the matter of continued discussion of proposed City Charter amendments, regarding parks, for the June 1992 ballot.

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, February 10, 1992**

**Page 30**

FILE LOCATION:           --

COUNCIL ACTION:           (Tape location:   B310-449.)

MOTION BY ROBERTS TO CONTINUE TO FEBRUARY 18, 1992 AT 10:00 P.M. TO ALLOW SUFFICIENT TIME FOR PUBLIC REVIEW. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S410:   (R-92-1198)       ADOPTED AS RESOLUTION R-279406

Proclaiming February 12, 1992 to be "Bravo! Newsmagazine Day" in San Diego, and joining the many friends, business associates and readers of Bravo! Newsmagazine in feting five successful and productive years at a Fifth Anniversary Bash to be held at the Brittany Club on April 5, 1992.

FILE LOCATION:           MEET

COUNCIL ACTION:           (Tape location:   B062-113.)

BY COMMON CONSENT THIS ITEM WAS ADOPTED. ALL COUNCIL MEMBERS WERE PRESENT.

NON-DOCKET ITEMS:

ITEM-ND-1:   (R-92-1288)       ADOPTED AS RESOLUTION R-279390

Special announcement by City Manager McGrory on the status of the Pt. Loma Outfall. Discussion included updates on the pipe repair operations, the results of ocean monitoring and the impacts to the Tiajuana River.

FILE LOCATION:           AGENDA

COUNCIL ACTION:           (Tape location:   A229-B062.)

MOTION BY FILNER TO ACCEPT FOR CONSIDERATION. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO REQUEST COUNCIL AUTHORIZATION TO ALLOW THE CITY TO VISIT WITH OFFICIALS IN MEXICO TO OFFER ASSISTANCE AND COME UP WITH A PLAN FOR MUTUAL AID, EQUIPMENT AND CREWS TO ASSIST IN BRINGING THE INTERCEPTION SYSTEM BACK INTO OPERATION ONCE THE TIJUANA RIVER FLOWS SUBSIDE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

COUNCIL COMMENT:

ITEM-CC-1:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Roberts at 7:03 p.m. in honor of the memory of Allan W. Cunningham.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G450-479).